

**The Honorable Robert S. Lasnik**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH C. LAVIN,

Defendant/Judgment Debtor,

and

MANUAL THERAPY INTERNATIONAL  
PROFESSIONAL SERVICES, PLLC,  
dba MTI Physical Therapy,

Garnishee.

NO. 2:19-MC-00073-RSL

(2:07-CR-00366-RSL-1)

**Continuing Garnishment Order**

A Writ of Continuing Garnishment, directed to Garnishee, Manual Therapy International Professional Services, PLLC, dba MTI Physical Therapy (MTI Physical Therapy), has been duly issued and served upon the Garnishee. Pursuant to the Writ, MTI Physical Therapy filed its Form Answer on October 15, 2019, stating that at the time of the service of the Writ, Defendant/Judgment Debtor Joseph C. Lavin's spouse, Wendy Lavin, was an active

1 employee who was paid monthly, and who maintained interest in a 401(k)  
2 plan that is in the possession, custody, or control of the Garnishee.

3 After notification of the garnishment proceeding was mailed to the  
4 parties on or about September 10, 2019, the Defendant/Judgment Debtor  
5 and his spouse have not requested a hearing to determine exempt property as  
6 of this date.  
7

8 IT IS THEREFORE ORDERED as follows:

9 That the Garnishee, MTI Physical Therapy, shall pay to the United  
10 States District Court for the Western District of Washington, (1) the non-  
11 exempt earnings payable to Defendant/Judgment Debtor's spouse, Wendy  
12 Lavin, upon each period of time when Ms. Lavin is entitled to receive such  
13 funds, and (2) fifty percent (less federal tax withholdings paid to the Internal  
14 Revenue Service) of non-exempt property from any and all accounts, including  
15 the 401(k) plan, in the Garnishee's possession, custody or control, in which  
16 Wendy Lavin is fully vested and meets the requirements to withdraw, or  
17 becomes eligible to withdraw, but such amount shall not exceed the amount  
18 necessary to pay Mr. Lavin's restitution balance in full; and  
19  
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21 That the Garnishee shall continue said payments, if any, until  
22 Defendant/Judgment Debtor Joseph C. Lavin's debt is paid in full or until  
23 Wendy Lavin is no longer an active employee of Garnishee and the Garnishee  
24 no longer has possession, custody, or control of any funds due and owing to  
25 Ms. Lavin or until further order of this Court. This includes all monies  
26  
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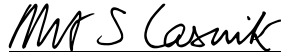
1 required to be previously withheld by the Garnishee, in accordance with the  
2 Writ of Continuing Garnishment;

3 That such payment(s) shall be applied to Defendant/Judgment Debtor  
4 Joseph C. Lavin's outstanding restitution obligation, by the United States  
5 District Court for the Western District of Washington; and  
6

7 That the payments shall be made out to the United States District  
8 Court, Western District of Washington, referencing Case Nos. 2:07-CR-00366-  
9 RSL-1 and 2:19-MC-00073-RSL, and to deliver such payment either  
10 personally or by First Class Mail to:  
11

12 United States District Court, Western District of Washington  
13 Attn: Financial Clerk – Lobby Level  
14 700 Stewart Street  
Seattle, Washington 98101

15 Dated this 10th day of March, 2020.

16 

17 JUDGE ROBERT S. LASNIK  
18 United States District Court Judge

19 Presented by:  
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21 s/ Kyle A. Forsyth  
22 KYLE A. FORSYTH, WSBA #34609  
23 Assistant United States Attorney  
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